

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**TYLER S. PHILLIPS,**

**Plaintiff,**

**v.**

**No. 18-cv-0918 MV/SMV**

**ROOSEVELT COUNTY DETENTION CENTER,  
and FNU GALLOGES,**

**Defendants.**

**ORDER TO SHOW CAUSE**

THIS MATTER is before the Court on Plaintiff's Motion to Proceed *In Forma Pauperis* [Doc. 2], filed October 1, 2018. The Motion does not include a certified copy of Plaintiff's inmate account statement for the 6-month period immediately preceding this action, as required by 28 U.S.C. § 1915(a)(2). By an Order entered October 2, 2018 [Doc. 5], the Court directed Plaintiff to cure such deficiency within 30 days or show cause why that is not possible. Plaintiff failed to timely comply. Therefore, Plaintiff must show cause why this action should not be dismissed without prejudice. *See Olsen v. Mapes*, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003) ("Rule 41(b) . . . has long been interpreted to permit courts to dismiss actions sua sponte for a plaintiff's failure to prosecute or comply with the rules of civil procedure or court[s'] orders.").

**IT IS ORDERED** that no later than **December 14, 2018**, Plaintiff must submit a certified inmate account statement reflecting all transactions between April 1, 2018, and October 1, 2018, or show cause why this action should not be dismissed for failure to comply with court orders.



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**